IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventor: Jack C. LaSee
Title: *Vision panel frame*
Attorney Docket No. 1764.001

Examiner: William V. Gilbert
Group Art Unit: 3635
Confirmation No.: 7416

APPEAL BRIEF

Mail Stop – Appeal Brief - Patent
Commissioner for Patents
P.O. Box 1450
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Sir:

On March 25, 2009, Appellant appealed from the Final Rejection of claims 1-7, 9, 11, 14 and 17-20. The following is Appellant's Appeal Brief pursuant to 37 C.F.R. § 41.37. Please charge any additional fees to Deposit Account No. 50-1170.

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REAL PARTY IN INTEREST

The real party in interest of the above-identified application is All Metal Stamping Incorporated, a Wisconsin Corporation, located and doing business at 411 West Spruce Street, Abbotsford, Wisconsin.

RELATED APPEALS AND INTERFERENCES

None.

STATUS OF CLAIMS

The Examiner has rejected claim 1 under 35 U.S.C. § 112. In addition, the Examiner has rejected claims 1, 7 and 9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,259,818 to Stark ("Stark") in view of U.S. Patent 4,550,542 to La See ("La See"). The Examiner has rejected claims 1 and 3-6 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 1,157,900 to Plym ("Plym") in view of La See and U.S. Patent 5,987,826 to Petta ("Petta"). The Examiner has rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Stark in view of La See and Petta. Claims 11, 14 and 17-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Plym. Additionally, the drawings are objected to under 37 C.F.R. 1.83(a).

All of the claims have been finally rejected, and the rejection of claims 1-7, 9, 11, 14 and 17-20 is appealed herein. The claims, as they presently stand, are found in the Claims Appendix to this Appeal Brief.

STATUS OF AMENDMENTS

No claim amendments are now pending.

SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates to a vision panel providing a window in a fire door. Specification ¶ [0002]. Assembly and installation of the vision panel of the present invention is greatly simplified in that the vision panel may be installed by a single person. Specification ¶ [0011]. Proper installation of prior vision panel designs typically requires two people – one person to hold one frame half against one side of the door and a second person (positioned on the opposite side of the door) to position the glass and install screws that hold the frame halves together. Specification ¶ [0004]. Thus, the present invention greatly improves over prior designs.

Single-person installation is enabled by the unique design of the present invention. Specifically, the present invention provides a vision panel including first and second flanges sized to frame the opening on either side of the door, and sash elements extending into the opening from each of the first and second flanges to capture a transparent pane therebetween. Specification ¶ [0010]. The vision panel further includes at least one retention member that is attached to the first flange and extends into the opening to grip a sill surface of the opening to retain the first flange and its sash element in position for assembly. Specification ¶ [0010]. A fastener is then used to draw the first and second flanges and the sash elements together against the pane. Specification ¶ [0010]. Thus, there is no need for a second person to hold the first flange in place while the second flange is attached with a fastener because the retention member grips the sill surface and retains the first flange in position.

The above description gives an overall summary of the preferred embodiment of the invention. The following summarizes claims 1 and 11 at issue here. The remaining claims are considered to stand or fall with one of the below summarized claims.

Claim 1

Claim 1 is an independent apparatus claim that recites a vision panel (10) for assembly in an opening passing through a door (11). The vision panel has first and second flange units (23) each comprising a rectangular frame (18, 20). *See* Fig. 2 of the present applicaiton, wherein frame (20) corresponds with first flange unit (23) and frame (18) corresponds with second flange unit (23). The rectangular frames (18, 20) each have four sides attached at corners by welds (38). *See* Fig. 2. The vision panel (10) further includes sash elements (24) from each of the first and second flange units (23). The sash elements (24) capture the transparent pane (32) within the opening. *See* FIG. 3.

The vision panel (10) further includes at least one retention member (40) that is attached to the first flange unit (23), i.e., the one corresponding with frame (20). The retention member (40) extends into the opening beyond a position of the transparent pane (32) with respect to the first flange unit (23) when positioned between the sash elements. *See* FIG. 3. The retention member (40) has an end (46) that is unobstructed by the first flange unit (23) when the first flange unit (23) is in a position for assembly, i.e., when it is placed in the opening. *See* FIG. 3. A spike (50) is positioned on the first end (46) to affix the first end (46) to a core material of a sill surface of the opening to retain the retention member (40) in the opening. The spike (50) is sized, oriented and positioned to be driven into the core material by a hammer. The vision panel (10) further includes at least one fastener (36) that is adapted to draw the first and second flange units (23) together against the pane (32).

The sash elements (24) include flanges (30) extending generally parallel to the transparent pane (32). Ends of the flanges (30) flex to provide inwardly spring-biased sharp edge

portions in contact with the pane (32) wherein the sharp edge portions will embed in the pane (32) to grip the pain when the pane becomes semi-molten in fire.

Claim 11

Claim 11 is an independent apparatus claim that recites a vision panel (10) for assembly in an opening passing through a door (11). The vision panel has first and second flange units (23) sized to frame the opening and about front face (12) and rear face (14) of the door (11). *See* Figs. 2 and 3. The vision panel (10) further includes sash elements (24) that are adapted to extend into the opening from each of the first and second flange units (23). The sash elements (24) hold a transparent pane (32) between the respective sash elements (24) within the opening. *See* FIG. 3.

The vision panel (10) further includes at least one spring member (52) attached to the first flange unit (23) that extends into the opening to support on a cantilevered tab (46). See FIG. 3, wherein the first flange unit (23) is shown adjacent the rear face (14) of the door (11). The spring member (52) has a threaded socket (54) that is spring-biased toward the first flange unit (23) along a direction therethrough the opening.

The vision panel (10) further includes a threaded fastener (36) that is adapted to engage the second flange unit (23) and the threaded socket (54) to draw the first and second flange units (23) and the sash elements (24) together against the pane (32).

The threaded fastener (36) includes a head and a shank. The shank includes a non-threaded section (58) between the head and a threaded section (56). The non-threaded section (54) limits a depth of engagement of the threaded fastener (36) with the threaded socket (54) at a point where a threaded portion of the threaded socket (54) is drawn over the non-threaded section (58) to substantially disengage with the fastener threads as the threaded fastener (36) is

advanced. The limited depth of engagement provides a predetermined compressive force of the sash elements (24) against the pane (32).

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The issues presented for review are as follows:

I. Whether claim 1 is patentable under 35 U.S.C. § 112, second paragraph, with respect to claim elements "flanges" and "flange units."

II. Whether claims 1, 7 and 9 are patentable under 35 U.S.C. § 103(a) over Stark in view of La See.

III. Whether claims 1 and 3-6 are patentable under 35 U.S.C. § 103(a) over Plym in view of La See and Petta.

IV. Whether claim 2 is patentable under 35 U.S.C. § 103(a) over Stark in view of La See and Petta. (It should be noted that this issue is not being specifically addressed herein because it relates only to a dependent claim which will be patentable if the independent claim upon which it depends is found to be patentable.)

V. Whether claims 11, 14 and 17-20 are patentable under 35 U.S.C. § 103(a) over Plym.

VI. Whether the drawings are in compliance with 37 C.F.R. 1.83(a) regarding claim 1.

For the purposes of this appeal, claims 1-7 and 9 stand or fall together, independent from the other claims appealed herein; and claims 11, 14 and 17-20 stand or fall together, independent from the other claims appealed herein. Accordingly, independent claims 1 and 11 will be argued separately inasmuch as the invention of each independent claim is patentably distinguishable over the cited prior art.

ARGUMENT

I. Background

The two primary references forming the bases of the Examiner's rejections are Stark and Plym, both of which fail to disclose key limitations of independent claims 1 and 11.

Stark discloses a window unit that includes two panels that secure a window pane between them. The window pane is further supported by a spring clip that is attached to one of the panels. A key distinction between the window unit of Stark and the invention of claim 1 is that in Stark the purported spike-receiving end of the spring clip does not extend beyond the window pane and is therefore obstructed by the panel to which it is attached. This precludes an installer from securing the spring clip with a spike, e.g., by using a hammer. Accordingly, as discussed in further detail below, claim 1 is not unpatentably obvious in view of Stark.

Plym discloses a window sash that includes a molding, an angle plate and a back plate. These three components are secured together by a bolt and nut assembly. This configuration prevents the angle plate from holding the back plate in position for assembly, i.e., for attachment of the molding, a requirement of claim 1. Moreover, the bolt does not engage the angle plate to draw the back plate and molding together, which is required by claim 11. Instead, the molding and back plate are drawn together by the nut at the end of the bolt. Still further, Plym does not disclose first and second flange units that abut front and rear faces of a door, which is required by both independent claims 1 and 11.

With respect to the rejection of claim 1 under 35 U.S.C. § 112, second paragraph, it is clear from the claim language that the "flange unit[s]" and "flanges" are structurally distinct claim elements. As for the objection to the drawings under 37 C.F.R. 1.83(a), the figures clearly show "flanges extending generally parallel to the transparent pane."

II. Rejection of Claim 1 under 35 U.S.C. § 112, second paragraph

The Examiner's rejection of claim 1 under 35 U.S.C. § 112, second paragraph, based upon the claim 1 terms "flange unit[s] and "flanges" is error. The structure of the vision of panel of claim 1 is clearly defined.

Claim 1 requires "a first and second flange unit each comprising a rectangular frame." There are "sash elements adapted to extend into the opening from each of the first and second flange units." The sash units include "flanges extending generally parallel to the transparent pane." In other words, the first and second flange units each have sash units, which in turn have flanges that extend parallel to the pane. These three structures are distinctly claimed and described in the claims, thus satisfying the requirements of 35 U.S.C. § 112, second paragraph.

Nevertheless, the Examiner contends that "[i]t is unclear if these are the same or different 'flanges' or 'flange units' based upon the disclosure." Final Office Action at page 3. As discussed above, the flange units include sash elements, which in turn have flanges that extend parallel to the pane. Given the clearly defined relationships among these three structural elements, there can be no confusion that the "flange units" and "flanges" are one and the same. Accordingly, allowance of claim 1 is respectfully requested.

III. Rejection of claims 1, 7 and 9 under 35 U.S.C. § 103(a) over Stark in view of La See

The Examiner erroneously rejected claims 1, 7 and 9 under 35 U.S.C. § 103(a) over Stark in view of La See because, contrary to the Examiner's contentions, Stark does not disclose at least two required required limitations of claim 1. Simply put, claim 1 requires that the retention member extend beyond the window pane with respect to the first flange unit, i.e., the flange unit to which the retention member is attached, so that the first flange unit does not obstruct the end

of the retention member that receives a spike. *See* FIG. 2 of the present application. The deficiencies of Stark with respect to these limitations are discussed in further detail below.

A. Stark does not disclose a retention member that extends beyond the transparent pane with respect to the first flange unit to grip a sill surface

Claim 1 requires "at least one retention member attached to the first flange unit and extending into the opening beyond a position of the transparent pane with respect to the first flange unit when positioned between the sash elements to grip a sill surface." Stark does not disclose this limitation.

The Examiner equates the panel (22a) and the spring clip (52a) of Stark with the first flange unit and retention member, respectively, of claim 1. *See* FIG. 5 of Stark. Assuming *arguendo* this correlation, FIG. 5 unequivocally shows that the end of the spring clip (52a) that grips the sill surface does ***not*** extend away from the panel (22a) and beyond the pane. To the contrary, the portion of the spring clip (52a) that grips the sill surface extends in the ***opposite*** direction, i.e., back toward the panel (22a). *See* FIGS. 1 and 5 of Stark. Thus, Stark does not disclose this limitation.

Nevertheless, the Examiner asserts that the gripping end of the spring clip (52a) "is beyond a position of the pane in the direction between the pane and the frame opening 62a." Final Office Action, pg. 5. However, in making this assertion the Examiner seemingly disregards the claim language "beyond a position of the transparent pane ***with respect to the first flange unit***." The plain meaning of these terms, as further illuminated by the specification and figures (*see, e.g.*, FIG. 3), requires that the extension of the retention member is measured in a direction extending away from the first flange unit. The Examiner's failure to account for this claim limitation is error.

It is clear from Fig. 5 that Stark does not disclose "at least one retention member attached to the first flange unit and extending into the opening beyond a position of the transparent pane with respect to the first flange unit when positioned between the sash elements to grip a sill surface." Thus, for at least this reason, the invention of claim 1 and dependent claims 7 and 9 are not unpatentably obvious over Stark in view of La See. A notice of allowance is respectfully requested.

B. Stark does not disclose a retention member having an end for receiving a spike that is unobstructed by the first flange unit

Claim 1 further requires "the retention member having an end unobstructed by the first flange unit when the first flange unit is in position for assembly." This too is not disclosed in Stark.

Stark shows that the spike portion (65, 66) of the spring clip (52a), which the Examiner equates with the claimed retention member, is ***completely enclosed*** by the panel (22a). *See* Figs. 5 and 6 of Stark reproduced below; *see also* Fig. 1 of Stark. Thus, Stark does not disclose and end of the retention member that is unobstructed by the first flange unit. As discussed above, this unobstructed end of the retention member corresponds with the spike that retains the retention member on the sill.

The unobstructed nature of the spike-receiving end of the retention member is important, and a key distinction over Stark, because it enables an installer to secure the first flange unit in place, e.g., by using a hammer and nails, before installing the second flange unit. *See* Fig. 2 of the present application. This eliminates the need for a second person to assist with the installation.

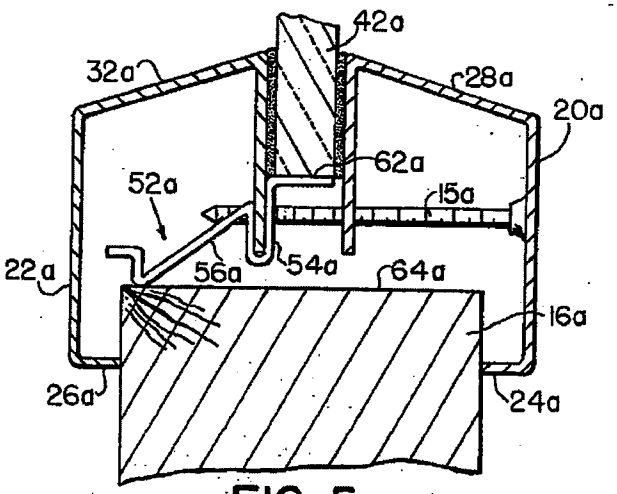


FIG. 5

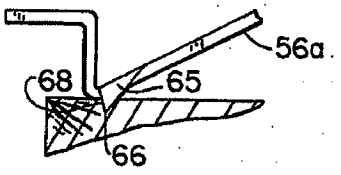


FIG. 6

The Examiner purportedly identifies as "A" an end of the spring clip (52a) that is not obstructed by the panel (22a). *See* marked-up Fig. 5 from Stark on page 5 of Final Office Action, reproduced below. However, the structure identified as "A" by the Examiner is not part of the spring clip (52a). Instead, the lead line for "A" appears to be pointing at the panel (24a), which would be analogous to the second flange unit of claim 1. This is error by the Examiner.

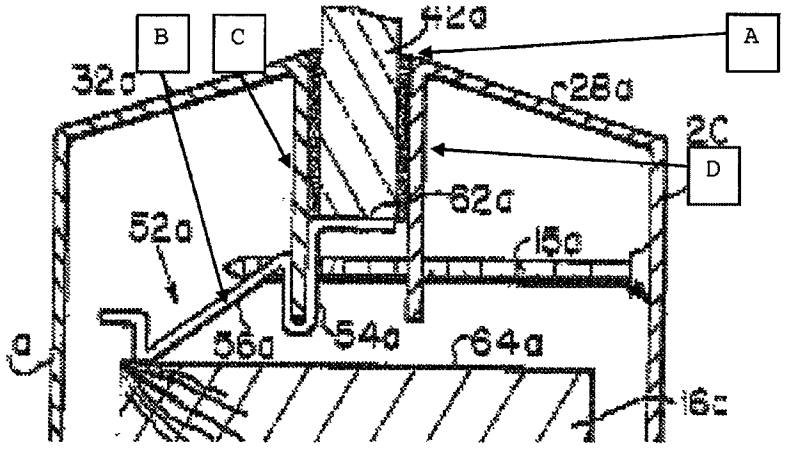


Figure 5 from Stark

As shown above in Figs. 5 and 6, the spike portion (65, 66) of the spring clip (52a) of Stark is completely enclosed by the panel (24a) and therefore cannot be equated to the "unobstructed" end of the retention member required by claim 1.

Accordingly, for at least this reason, the invention of claim 1 and dependent claims 7 and 9 are not unpatentably obvious over Stark in view of La See. A notice of allowance is respectfully requested.

IV. Rejection of claims 1 and 3-6 under 35 U.S.C. § 103(a) over Plym in view of La See and Petta

The Examiner erroneously rejected claims 1 and 3-6 under 35 U.S.C. § 103(a) over Plym in view of La See and Petta because, contrary to the Examiner's contentions, Plym does not disclose several limitations required by claim 1.

A. Plym does not disclose a first and second flange unit that abut a front and rear face of the door

Claim 1 requires a first and second flange unit that "abut a front and rear face of the door." The Examiner failed to address this limitation in the Final Office Action, which is error.

In any event, Plym discloses a window sash construction that attaches to a horizontal face of a window sill. *See* Figs. 1-5 of Plym. None of the various structural components comprising the window sash of Plym engage a front and rear face of the window sill (1). Moreover, there is no teaching or suggestion that the window sash of Plym could be modified in such a manner.

Accordingly, for at least this reason, the invention of claim 1 and dependent claims 3-6 are not unpatentably obvious over Plym in view of La See and Petta. A notice of allowance is respectfully requested.

B. The purported retention member of Plym does not retain the first flange unit and its sash element in a position for assembly

Claim 1 requires that the retention member be "attached" to the first flange unit in order to "retain the first flange unit and its sash element in position for assembly." This is demonstrated in FIG. 2 of the present application, which shows the retention member and first flange unit secured to the sill surface by multiple spikes. Importantly, as illustrated in FIG. 2 (reproduced below), the second flange unit is ***not*** secured to the first flange unit at this stage of assembly.

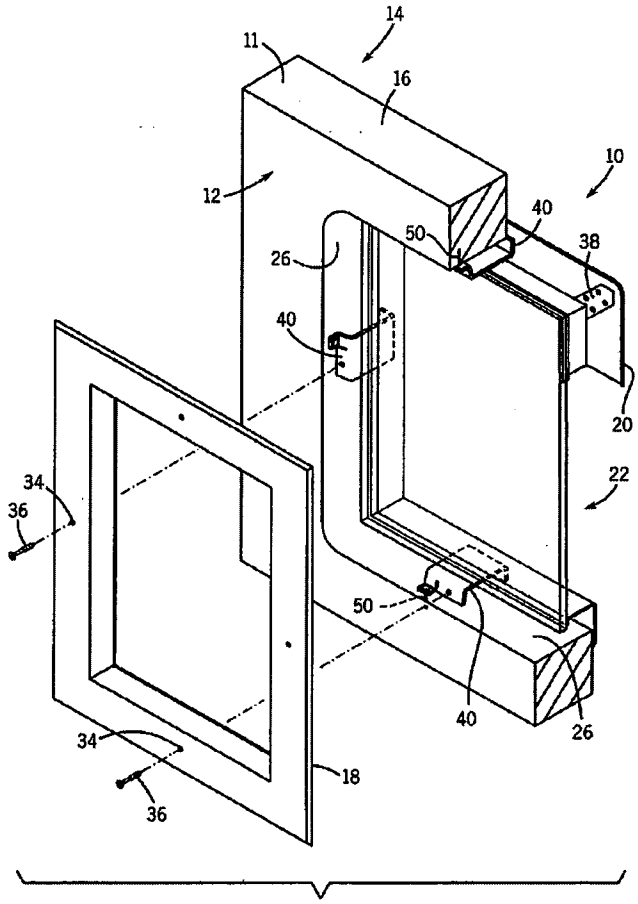
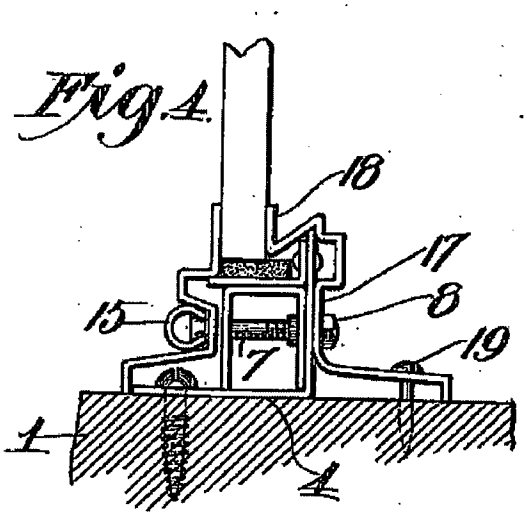


FIG. 2

Such a configuration enables a single person to install the vision panel by securing the first flange unit to the door, positioning the transparent pane adjacent the first flange unit and

retention member(s), and then capturing the transparent pane between the first and second flange units by using a fastener to draw the first and second flange units together against the pane. This is possible because the retention member is attached to the first flange unit, e.g., by a weld, independent of the fastener. *See, e.g.*, FIG. 3 of the present application and ¶ [0039] of the specification. Accordingly, by securing the retention member to the sill, the first flange unit is also secured in place so that the second flange unit may subsequently be attached.

Plym does not disclose the claimed retention member attached to a first flange unit in a manner that enables the retention member to retain the first flange unit and its sash element in position for assembly. Instead, Plym discloses a back plate (17) (which the Examiner equates to the first flange unit), an angle plate (4) (which the Examiner equates to the retention member), and a molding strip (6) (which the Examiner equates to the second flange unit), wherein these three independent structures are attached together only by a bolt (7). *See* Fig. 4 of Plym reproduced below.



Of critical importance is that the angle plate (4) does not and cannot retain the back plate (17) on the sill surface for assembly, i.e., for attachment of the pane and the second flange unit, because the back plate (17) and the angle plate (4) are not attached to each other independent of

the bolt (7). Thus, the window sash of Plym must be assembled in piecemeal fashion, e.g., first the angle plate (4) is screwed into the window sill, then the back plate is nailed into the window sill, then the molding strip (6) is positioned, and finally the bolt (7) is tightened to secure these components together.

Accordingly, the angle plate (4) of Plym does not and cannot "retain the first flange unit [i.e., the back plate (17)] and its sash element in position for assembly" as required by claim 1. The Examiner's assertion to the contrary is error, and allowance of claims 1 and 3-6 over Plym in view of La See and Petta is respectfully requested.

V. Rejection of claims 11, 14 and 17-20 under 35 U.S.C. § 103(a) over Plym

The Examiner erroneously rejected claims 11, 14 and 17-20 under 35 U.S.C. § 103(a) over Plym in view of La See and Petta because, contrary to the Examiner's contentions, Plym does not disclose several required limitations of claim 11.

A. Plym does not disclose a first and second flange unit that abut a front and rear face of the door

As discussed above with respect to claim 1, Plym does not disclose a first and second flange unit that "abut a front and rear face of the door." The Examiner's failure to address this limitation in the Final Office Action is error. Accordingly, the invention of claim 11 and dependent claims 14 and 17-20 are not unpatentably obvious over Plym. A notice of allowance is respectfully requested.

B. In Plym, the threaded fastener does not engage the threaded socket of the spring member to draw the first and second flange units and the sash elements together against the pane

Claim 11 requires a threaded fastener that is adapted to "engage the threaded socket to draw the first and second flange units and the sash elements together against the pane." Thus, as

the fastener is turned the spring member pulls the first flange unit toward the second flange unit. *See, e.g.*, FIG. 3 of the present application. This is not disclosed in Plym.

As with claim 1, the Examiner equates the angle plate (4) with the spring member of claim 11, the back plate (17) with the first flange unit of claim 11, and the molding (6) with the second flange unit of claim 11. As discussed above, the bolt (7) and nut (8) assembly secure the all three of these components together. *See* Fig. 4 of Plym.

Importantly, the angle plate (4) is not attached to the back plate (17) independently of the bolt (7). Accordingly, even if the hole in the angle plate (4) was threaded (which it is not), the angle plate (4) could not "draw the first and second flange units and the sash elements together against the pane" as required by claim 11.

Moreover, claim 11 requires that the fastener and the threaded socket of the spring element provide a predetermined compressive force of the sash elements against the pane. In Plym, the compressive force is ***not*** generated by the threaded bolt (7) pulling the angle plate (4) – as discussed above this is impossible because the angle plate (4) is not threaded nor is it attached to the back plate (17) independent of the bolt (7). Instead, the compressive force of Plym is generated by the force of the nut (8) against the back plate (17).

Thus, because Plym fails to disclose these limitations of claim 11, the Examiner's rejection of claim 11 and dependent claims 14 and 17-20 over Plym are error. Allowance of these claims is respectfully requested.

C. One having ordinary skill in the art would not modify the window sash of Plym to include an angle plate having a threaded hole

As explained in the specification of the present application, the reason for having a threaded socket in the spring member is to pull the first and second flange units together so that they are spring biased toward the pane. *See* ¶ [0044] of the present application. It is not, as the

Examiner contends, merely "to facilitate the connection of the threaded portion of the bolt with the framing member." Final Office action at page 12.

In any event, a person having ordinary skill in the art would not modify the angle plate (4) of Plym to include a threaded hole for generating a compressive force. Indeed, Plym teaches away from such a configuration. All of the window sash embodiments shown in Figs. 1-5 of Plym rely upon a bolt (7) and nut (8) assembly to generate a compressive force, thus obviating any purported need to provide a threaded hole in the angle plate (4).

Moreover, the window sash of Plym would need to be further modified to attach the plate (4) to the back plate (17) independent of the bolt (7). Such modification is needed because claim 11 requires that the engagement of the threaded bolt (7) with the angle plate (4) draws the first flange unit toward the second flange unit, generating a compressive force against the pane. The Examiner does not even address this, which is error.

For these additional reasons, the Examiner's rejection of claim 11 and dependent claims 14 and 17-20 over Plym are error. Allowance of these claims is respectfully requested.

VI. Objection to the drawings under 37 C.F.R. § 1.83(a)

The Examiner's objection to the drawings under 37 C.F.R. § 1.83(a) was error. Specifically, the Examiner contends that the drawings do not show "flanges extending generally parallel to the transparent pane" as required by claim 1.

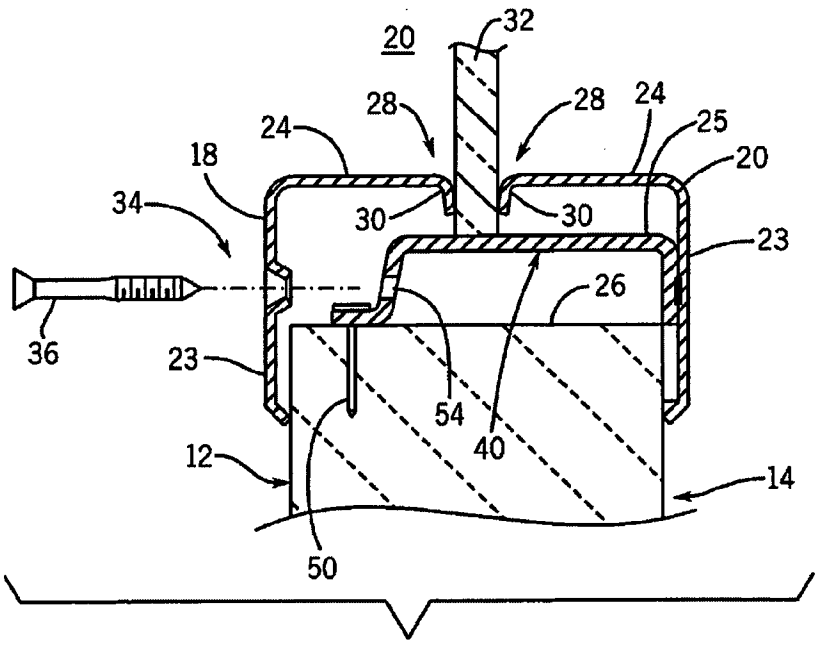


FIG. 3

These flanges of claim 1 are clearly shown in FIG. 3 (reproduced above) of the present application as indicated by reference numerals 28. It should be noted that in the specification the flanges are described as "finger portions 28." *See* ¶ [0036] of the present application. However, any variation in nomenclature is irrelevant because the claimed structure itself is clearly shown in the drawings. Accordingly, the drawings are in compliance with 37 C.F.R. § 1.83(a) and allowance of claim 1 is respectfully requested.

CONCLUSION

The combination of references relied upon does not fairly teach the limitations of claims 1-7, 9, 11, 14 and 17-20. Therefore, the Applicant requests that the Board overturn the Examiner's rejection of these claims and pass such claims to allowance.

Respectfully Submitted,

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CLAIMS APPENDIX

1. (Previously Presented) A fire resistant vision panel for assembly in an opening passing through a door, the vision panel comprising:

a first and second flange unit each comprising a preassembled rectangular frame sized to frame the opening and abut a front and rear face of the door; the rectangular frames of the flange units each having four sides attached at corners by welds;

sash elements adapted to extend into the opening from each of the first and second flange units to capture a transparent pane therebetween within the opening;

at least one retention member attached to the first flange unit and extending into the opening beyond a position of the transparent pane with respect to the first flange unit when positioned between the sash elements to grip a sill surface of the opening thereby to retain the first flange unit and its sash element in position for assembly the retention member having an end unobstructed by the first flange unit when the first flange unit is in position for assembly;

a spike positioned on the first end to affix the first end to a core material of a sill surface of the opening to retain the retention member in the opening wherein the spike is sized, oriented and positioned to be driven into the core material by impact of a hammer; and

at least one fastener adapted to draw the first and second flange units and the sash elements together against the pane; and

wherein the sash elements include flanges extending generally parallel to the transparent pane when captured therebetween, ends of the flanges flexing to provide inwardly spring-biased sharp edge portions in contact with said pane wherein said sharp edge portions will embed in said pane to grip the pane when said pane becomes semi-molten in fire.

2. (Previously Presented) The vision panel of claim 1 wherein the retention member has a hole at an inner end thereof and wherein the at least one retention member includes spike is a nail passing through the a hole in the end into a core material of a sill surface of the opening to retain the retention member in the opening.

3. (Previously Presented) The vision panel of claim 1 wherein the fastener is a threaded fastener and wherein the second flange unit includes at least one hole for receiving the threaded fastener therethrough and wherein the retention member further includes a socket threadably receiving an end of the threaded fastener after it has passed through the hole.

4. (Original) The vision panel of claim 3 wherein the socket is attached to the retention member by a spring element allowing movement of the socket toward the second flange unit against a spring force bias.

5. (Original) The vision panel of claim 4 wherein the spring element is a cantilevered tab extending across an axis of the threaded fastener to flex with increased engagement of the threaded fastener.

6. (Original) The vision panel of claim 3 wherein the threaded fastener includes a non-threaded section limiting an engagement of the threaded fastener with the socket.

7. (Original) The vision panel of claim 1 wherein the opening is generally rectangular having four pairwise opposed sill surfaces and wherein the vision panel includes four retention

members attached to the first flange unit and extending into the opening to grip each of the respective four sill surfaces.

8. Canceled.

9. (Original) The vision panel of claim 1 wherein a surface of the retention member support edges of the pane.

10. Canceled.

11. (Previously Presented) A fire resistant vision panel for assembly in an opening through a door, the vision panel comprising:

a first and second flange unit sized to frame the opening and abut front and rear faces of the door;

sash elements adapted to extend into the opening from each of the first and second flange units to hold a transparent pane therebetween within the opening;

at least one spring member attached to the first flange unit and extending into the opening to support on a cantilevered tab, a threaded socket spring-biased toward the first flange unit along a direction therethrough the opening; and

a threaded fastener adapted to engage the second flange unit and the threaded socket to draw the first and second flange units and the sash elements together against the pane

wherein the threaded fastener includes a head and a shank and wherein the shank includes a non-threaded section between the head and a threaded section, the non-threaded section

limiting a depth of engagement of the threaded fastener with the threaded socket at a point where a threaded portion of the threaded socket is drawn over the non-threaded section to substantially disengage with the fastener threads as the threaded fastener is advanced;

wherein the limited depth of engagement provides a predetermined compressive force of the sash elements against the pane.

12-13. (Cancelled)

14. (Previously Presented) The vision panel of claim 11 wherein the cantilevered tab is attached to the first flange unit extending into the opening, wherein the tab extends across an axis following a length of the threaded fastener to flex with increased engagement of the threaded fastener.

15-16. (Cancelled)

17. (Original) The vision panel of claim 11 wherein the vision panel includes four retention members attached to the first flange unit and extending into the opening to support separate four threaded sockets.

18. (Previously Presented) The vision panel of claim 17 wherein the second flange has four holes for receiving threaded fasteners to engage the four threaded sockets.

19. (Original) The vision panel of claim 11 wherein the sash elements include inwardly biased sharp edge portions in contact with said panel member wherein said sharp edge portions will embed in said panel member when said panel becomes semi-molten.

20. (Previously Presented) The vision panel of claim 11 18 wherein the upper surface of the retention members supports the bottom of the transparent pane.

EVIDENCE APPENDIX

Applicant submits no evidence pursuant to 37 CFR § 1.130, 1.131 or 1.132 or any other evidence beyond the references cited in the present application.

RELATED PROCEEDINGS APPENDIX

No decision from a related proceeding has been rendered by a court or this Board.